

10/567168

PATENT

Customer No. 22,852

Attorney Docket No. 10084-0003.00000

IAP20 Rec'd PGT/PTO C S FEB 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Yasuomi TAKAGI et al.

Application No.: Not Assigned

Filed: HERewith

For: EFFICIENT PROCESS FOR  
PRODUCING DUMBBELL DNA

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Group Art Unit:

Examiner:

Confirmation No.:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed within three months of the date of entry of the national stage in an international application. Copies of the listed non-patent literature documents are attached. Copies of the U.S. patent publications are not enclosed.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law,

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applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: 

Chris T. Mizumoto  
Reg. No. 42899

Dated: February 3, 2006

CTM/en

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				Application Number	Not Assigned <b>80/567163</b>
				Filing Date	Herewith
				First Named Inventor	Yasuomi TAKAGI
				Art Unit	Not Assigned
				Examiner Name	Not Assigned
Sheet	1	of	1	Attorney Docket Number	10084-0003.00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1A	US-6,451,563	09-17-2002	Burghardt WITTIG	
		US-			
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**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
	2A	TAKI M. et al., Small-interfering-RNA expression in cells from a dumbbell-shaped DNA., Angewandte Chemie, International Edition, 2004, Vol. 43, No. 24, pages 3160 to 3163	
	2B	TAKI M. et al., A direct and efficient synthesis method for dumbbell-shaped linear DNA using PCR in vitro., Nucleic Acid Res. Suppl., 2003, 30 <sup>th</sup> , No.3, pages 191 to 192	
	2C	SCHAKOWSKI F. et al., A novel minimal size vector (MIDGE) improves transgene expression in colon carcinoma cells and avoids transfection of undesired DNA. Molecular Therapy, 2001, Vol. 3, No. 5, pages 793 to 800.	
	2D	SIMMEN K.A. et al., Complex requirements for RNA polymerase III transcription of the Xenopus U6 promoter. Nucleic Acids Res. 1990, Vol. 18, No. 19, pages 5649, 5657	

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.